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SEATTLE, WA 98111-1208**

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**JAN 06 2009**

**OFFICE OF PETITIONS**

In re Application of :  
Stephen J. WILLIAMS, et al :  
Application No. 10/676,857 : **DECISION ON PETITION**  
Filed: September 30, 2003 :  
Attorney Docket No. 50225-8032.US04 :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed November 17, 2008, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely respond to the Office communication dated September 2, 2008, which set a non extendable time period of one (1) month. Accordingly, the application became abandoned on October 3, 2008.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment under 37 CFR 312; (2) the petition fee of \$1620; and (3) the required statement of unintentional delay.

There is no indication that the person signing the petition was ever given a power of attorney to prosecute the application. If the person signing the petition desires to receive future correspondence regarding this application, the appropriate power of attorney document must be submitted. While a courtesy copy of this decision is being mailed to the person signing the petition, all future correspondence will be directed to the address currently of record until appropriate instructions are received.

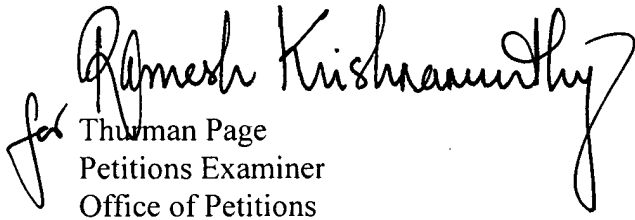
A revocation of power of attorney was filed by the assignee on November 17, 2008. However, is not accepted because the assignee has not properly intervened, the chain of title is incomplete.

In order to request or take action in a patent matter, the assignee must establish its ownership of the patent to the satisfaction of the Director. In this regard, a Statement under 37 CFR 3.73(b) must have either: (i) documentary evidence of a chain of title from the original owner to the

assignee (*e.g.*, copy of an executed assignment), and a statement affirming that the documentary evidence of the chain of title from the original owner to the assignee was or concurrently is being submitted for recordation pursuant to § 3.11; or (ii) a statement specifying where documentary evidence of a chain of title from the original owner to the assignee is recorded in the assignment records of the Office (*e.g.*, reel and frame number).

Telephone inquiries concerning this decision should be directed to Diane Goodwyn at (571) 272-6735.

The application is being referred to the Office of Data Management for further processing.

for  
Thurman Page  
Petitions Examiner  
Office of Petitions

cc: STEPHEN TODD  
KING & SPALDING LLP  
P.O. BOX 889  
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**MONOGRAM BIOSCIENCES, INC.**  
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In re Application of  
Stephen J. WILLIAMS, et al  
Application No. 10/676,857  
Filed: September 30, 2003  
Attorney Docket No. 50225-8032.US04

**OFFICE OF PETITIONS**

DECISION ON REQUEST FOR  
REVOCATION OF POWER  
OF ATTORNEY

This is a decision on the Request to Revoke the attorney or agent of record under 37 C.F.R. § 1.36(a), filed November 17, 2008.

The request is **NOT APPROVED**.

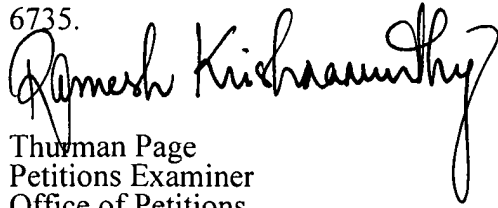
A power of attorney, pursuant to § 1.32(b), may be revoked at any stage in the proceeding of a case by an applicant for patent (§ 1.41(b)) or an assignee of the entire interest of the applicant under § 3.71(b). Fewer than all of the applicants (or by fewer than the assignee of the entire interest of the applicant) may only revoke the power of attorney upon a showing of sufficient cause, and payment of the petition fee set forth § 1.17(h). For the assignee to take action a proper statement under § 3.73(b) is required.


The request cannot be approved because the statement under 3.73(b) is not proper.

In order to request or take action in a patent matter, the assignee must establish its ownership of the patent to the satisfaction of the Director. In this regard, a Statement under 37 CFR 3.73(b) must have either: (i) documentary evidence of a chain of title from the original owner to the assignee (*e.g.*, copy of an executed assignment), and a statement affirming that the documentary evidence of the chain of title from the original owner to the assignee was or concurrently is being submitted for recordation pursuant to § 3.11; or (ii) a statement specifying where documentary evidence of a chain of title from the original owner to the assignee is recorded in the assignment records of the Office (*e.g.*, reel and frame number).

All future communications from the Office will continue to be directed to the below-listed first copied address until otherwise notified by applicant.

Telephone inquiries concerning this decision should be directed to Diane Goodwyn at 571-272-6735.



 Thurman Page  
Petitions Examiner  
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